WA 16/2007
BEFORE
THE HON'BLE MR. JUSTICE D.BISWAS
THE HON'BLE MR. JUSTICE HRISKHIKESH ROY

Heard Mr P Khataniar, learned counsel for the appellant and the learned State counsel.

This appeal is directed against the judgment and order dated 24.11.2006 passed by the learned Single Judge in WP(C) No. 250(K) of 2005 whereby the appointment of the writ appellant, who was arrayed as respondent No. 4 in the writ petition to the post of Head Driver, has been set aside with direction to the respondent authority to re-consider the matter in accordance with the provisions of law.

The grievance raised on behalf of the appellant is that the order dated 24th October, 1983 was not taken into consideration while the impugned judgment was passed. Mr. Khataniar submits that while considering promotion to the post of Head Driver in terms of the order passed by the learned Single Judge, the authorities may also be asked to consider the order dated 24th October, 1983.

We dispose of this appeal with the observation that the respondent State while considering promotion to the post of Head Driver shall act in terms of the order dated 24.11.2006 passed by the learned Single Judge in WP(C) No. 250(K) of 2005 including all circulars, rules and the order dated 24th October, 1983.

No costs.